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VIA ECF

Hon. James R. Cho U.S.M.J.
United States District Court, Eastern District of New York
225 Cadman Plaza East, Courtroom 11D South
Brooklyn, New York 11201-1804

Re: *IME Watchdog, Inc. v. Gelardi, et al.*
Case No.: 1:22-cv-1032 (PKC)(JRC)

Dear Judge Cho:

In view of plaintiffs' counsel's letter (472) advising the Court of plaintiff's intention to file a contempt application against defendants Safa and Vito Gelardi ("Defendants") wherein plaintiff will seek to have Defendants "incarcerated," I respectfully request that the Court sign my law firm's Order to Show Cause (463) and stay all proceedings pending the hearing and determination of my firm's motion to withdraw and for thirty days thereafter.

Defendants should not be required to defend a contempt application, let alone a criminal contempt application, after their attorneys have moved to be relieved due to a complete deterioration of the attorney-client relationship. Nor should my firm be required to defend a contempt application on Defendants' behalf, where Defendants have disregarded their financial obligations to my firm and have made my firm's representation of them unreasonably difficult as demonstrated by my moving declaration (464). It would be a financial hardship to my firm to have to defend a contempt application without any expectation of payment, and we would be placed in an untenable position of having to defend the Defendants against serious accusations after there has been a complete breakdown of the attorney-client relationship. Neither the Defendants nor my firm should have to defend a contempt application (or any motion) while my firm's motion to withdraw is pending and before Defendants have retained substitute counsel. I note that the Defendants did not oppose my firm's application to withdraw.

For the foregoing reasons, I respectfully request that this Court stay all proceedings (other than the scheduled settlement conference) pending the hearing and determination of my firm's motion to withdraw and for thirty days thereafter.

I thank the Court for its courtesies and cooperation.

Respectfully,

/s/ Jonathon D. Warner

JDW/ks

cc: All counsel (via ECF)
Safa and Vito Gelardi (by email)